

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
MARTIN JOHN STEVENS,
:

Plaintiff,
:

20 Civ. 8181 (JPC)

-v-
:

ORDER
:

ALAN J. HANKE *et al.*,
:

Defendants.
:
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JOHN P. CRONAN, United States District Judge:


On May 20, 2021, Plaintiff Martin John Stevens filed a motion to consolidate the above-captioned action and the related proceeding, *Al Thani v. Hanke, et al.*, No. 20 Civ. 4765 (JPC) (S.D.N.Y.). Dkts. 2, 76-79. The Court understands that three of the Defendants in both actions—Sherry Sims, Alan J. Hanke, and IOLO Global LLC—have filed for bankruptcy protection under Chapter 7 of the United States Bankruptcy Code. *See* Dkts. 64, 87. Pursuant to 11 U.S.C. § 362(a)(1), the filing of a Chapter 7 bankruptcy petition “operates as a stay, applicable to all entities, of . . . the commencement or continuation . . . of a judicial . . . action or proceeding against the debtor that was . . . commenced before the commencement of the” filing of the bankruptcy case.

It is hereby ORDERED that, by October 12, 2021, Plaintiff’s counsel shall advise the Court, in a letter brief of no more than five pages, Plaintiff’s view as to whether the Court may decide the pending motion to consolidate given the application of the automatic stay under section 362 with respect to Sims, Hanke, and IOLO, with legal authorities to support its position. It is FURTHER ORDERED that, by October 12, 2021, any other party in this action may also file a

letter brief of no more than five pages advising the Court of their position regarding the effect of the automatic stay on Plaintiff's pending motion to consolidate.

SO ORDERED.

Dated: September 28, 2021
New York, New York



JOHN P. CRONAN
United States District Judge